

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF:

TIMOTHY JOE SHAKE  
ELIZABETH ANN SHAKE

Debtors

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CASE NO. 06-10124

DECISION AND ORDER

At Fort Wayne, Indiana, on May 24, 2006.

The notice of motion and opportunity to object which debtors (hereinafter "Movant") served in connection with its modification does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice is not accompanied by a copy of the court's order authorizing notice to creditors and establishing deadlines for filing objections. N.D. Ind. L.B.R. B-2002-2(e).

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereof within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court

